

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

City of Chicago,

*Plaintiff,*

v.

DoorDash, Inc. and Caviar, LLC,

*Defendants.*

Civil Action No. 1:21-cv-05162

Hon. Jeremy C. Daniel  
Magistrate Judge Jeffrey T. Gilbert

**JOINT STATUS REPORT**

Pursuant to this Court's orders dated December 23, 2022 (ECF No. 90) and December 19, 2022 (ECF No. 87) directing the parties to file a status report seven days after each rolling production deadline to provide information about the last rolling production, what has been produced to date in total, and what remains to be produced, the parties hereby file this Joint Status Report concerning the December 22, 2023 production deadline.

**I. Status of the City's Document Productions**

**A. Documents Produced by the City To Date**

As of December 22, the City has produced 3,274 documents, totaling 13,824 pages, in rolling productions. The City's prior productions are described in more detail in the January 20, February 10, March 3, March 24, April 14, May 5, May 25, June 16, July 7, July 28, August 18, September 8, September 29, October 20, November 10 and December 8 joint status reports (ECF Nos. 96, 101, 105, 109, 115, 151, 164, 174, 194, 200, 202, 216, 230, 234, 242, 246).

The City's December 22, 2023 production contained 41 documents and 64 pages. This production contained documents responsive to RFP No. 41 (documents related to Commissioner Escareño's determination that DoorDash engaged in a practice prohibited by MCC § 2-25-090).

**B. Remaining Documents to be Produced**

The parties are continuing to meet and confer regarding the scope of the City's productions in response to certain additional DoorDash requests, including DoorDash's latest document requests served September 27, 2023 (RFP Nos. 83-106). The City is in the process of confirming the completeness of our production in response to certain of these RFPs, including Nos. 88, 91, and 96. The City continues to review its overall production for completeness and is today making a production of screen captures gathered by the City. The City is in the process of compiling a privilege log, and it will meet and confer with DoorDash regarding any perceived inadequacies in that log.

**II. Status of DoorDash's Document Productions**

**A. Documents Produced by DoorDash to Date**

On December 22, 2023, DoorDash produced 50 documents, comprising 62 pages. This production included custodial documents produced pursuant to the Court's November 6, 2023 Order on the City's Motion to Compel, ECF No. 241. Since August 2022, DoorDash has produced a total of 6,862 documents and 35,176 pages across 22 productions. The documents produced to date include:

- Custodial documents responsive to the City's document requests as to minimum amount promotional discounts, non-partner restaurants, Dasher pay, consumer fees, and menu pricing;
- Documents identified in known non-custodial locations;

- Documents identified from DoorDash's review of documents produced in related investigations and litigations;
- Spreadsheets that were created in order to respond to the City's requests for specific data.

These productions are responsive to more than two dozen of the City's requests, including but not limited to RFP Nos. 1-10, 12-17, 19-20, 25-27, 29-30, 32, 37-39, 43-45, 49, 52, and 53-55 and Interrogatory No. 8.

**B. Remaining Documents to be Produced**

In light of the Court's November 6, 2023 Order on the City's Motion to Compel, ECF No. 241, DoorDash is reviewing and preparing for production additional responsive documents pursuant to the Court's instruction, or, where applicable, conferring with the City as to possible alternative agreements. DoorDash has substantially completed the production of custodial documents responsive to the portions of DoorDash's custodial search methodology previously agreed upon by the parties and not addressed by the Court's November 6 Order, with the exception of a few document families where DoorDash is working through technical issues relating to production.

As to data requested by the City, DoorDash has undertaken significant efforts to create spreadsheets containing data responsive to the City's requests, even though many of the documents that the City requests do not exist and are not kept in the ordinary course of business. DoorDash also continues to investigate whether additional data responsive to the City's requests exists and can be produced, including orders placed by daily website visitors in Chicago. DoorDash will continue to make rolling productions of these materials on the three-week schedule agreed-upon by the parties.

DATED: December 29, 2023

Respectfully submitted,

**CITY OF CHICAGO DEP'T OF LAW,  
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DIVISION**

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